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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/808,631

03/24/2004

Tony Eccleston

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08/15/2006

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EXAMINER

BOCHNA, DAVID

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/808,631	<b>Applicant(s)</b> ECCLESTON, TONY	
	<b>Examiner</b> David E. Bochna	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-17, 19, 20, 22-26, 28-31, 33, 34, 36-40, 42 and 43 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 18, 21, 27, 32, 35 and 41 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 14, 28 and 42 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of previous claims 8, 22 and 36 respectively. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.
2. Claim 6 is objected to because of the following informalities: “undulation sin” should be “undulations in”. Appropriate correction is required.
3. Claim 10 recites the limitation "the shoulder" in line 2. There is insufficient antecedent basis for this limitation in the claim.
4. Claims 11, 25 and 39, line 2 – should “the flange” be “the support ring”, because it is unclear how the flange extends radially outwardly from the flange.
5. Claim 15 recites the limitation "the pipe" in line 2. There is insufficient antecedent basis for this limitation in the claim. Suggest changing “the pipe” in line 2 to “a flexible pipe” and then changing the “a flexible pipe” in line 4 to “the flexible pipe”.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 5-6, 8-17, 19-20, 22-26, 28-31, 33-34, 36-40 and 42-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Storke et al.

In regard to claims 1, 15 and 29, Storke et al. discloses an end fitting (fig. 2) for a pipe, the end fitting comprising a housing 103 defining a bore for receiving an end portion of the pipe T, the surface of the housing defining the bore having at least two axially spaced raised portions 125, 123 each having a curved cross section for engaging the corresponding outer surface of the pipe T to provide a seal.

In regard to claims 2, 16 and 30, the raised portions 125, 123 are formed integrally with the housing.

In regard to claim 3, 17 and 31, each raised portion 125, 123 is in the form of an annular ring.

In regard to claims 5, 19 and 33, each raised portion 125, 123 is formed by scallops in the housing surface (product by process).

In regard to claims 6, 20 and 34, each raised portion 125, 123 is formed by providing undulations in the housing surface.

In regard to claims 8, 22 and 36, the bore is stepped to define at least two bore portions (one for pipe and other bore for receiving flange 107) and having different diameters, the raised portions 125, 123 being formed in the bore portion having the lesser diameter.

In regard to claims 9, 23 and 37, further comprising a support ring 101 extending within an end portion of the pipe so that the latter end portion of the pipe extends within the raised portion and the support ring.

In regard to claims 10, 24 and 38, the ring has an annular flange 107 formed thereon that engages a shoulder 127 defined between the two bore portions.

In regard to claims 11, 25 and 39, the flange 107 extends radially outwardly from the support ring.

In regard to claims 12, 26 and 40, the flange 107 extends between the shoulder 127 and the corresponding end of the pipe T.

In regard to claim 13, claim 1 is only drawn to the end fitting and not the pipe assembly which includes the pipe. The end fitting of Storke et al. is capable of receiving a multilayered pipe.

In regard to claims 14, 28 and 42, the raised portion is formed in the bore portion with the lesser diameter.

In regard to claim 43, further comprising applying a radially outwardly directed force (via member 101 when 103 is tightened down) to the inner surface of the pipe end portion to compress the pipe end portion against the raised portions.

#### ***Allowable Subject Matter***

8. Claims 4, 7, 18, 21, 27, 32, 35 and 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-3, 5-6, 8-17, 19-20, 22-26, 28-31, 33-34, 36-40 and 42-43 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "David E. Bochna", with a stylized flourish extending to the right.

David E. Bochna  
Primary Examiner  
Art Unit 3679